

THE MARGOLIN & WEINREB LAW GROUP, LLP

Attorneys at Law
165 Eileen Way, Suite 101
Syosset, New York 11791

ALAN WEINREB, ESQ.
C. LANCE MARGOLIN, ESQ.
CYNTHIA A. NIERER, ESQ.

(516) 921-3838
FAX (516) 921-3824
(516) 945-6055

www.nyfclaw.com

October 30, 2018

Via ECF

Honorable Judith C. McCarthy
United States Magistrate Judge
The Charles L. Brieant, Jr.
Federal Building and United States Courthouse
300 Quarropas Street
White Plains, New York 10601

Borrower: Karen Beltran
Civil Index No.: 16-cv-04309 (JCM)
Property: 60 Truman Avenue, Yonkers, New York 10703

Honorable Madam:

We represent plaintiff Gustavia Home, LLC (“Gustavia”) regarding the pending foreclosure action against Karen Beltran (the “Defendant”).

Please let this letter serve as an update regarding this case.

As you are aware, Gustavia commenced this instant action by filing a complaint on June 9, 2016.

Thereafter, Defendant filed a voluntary Chapter 13 bankruptcy case in the United States Bankruptcy Court for the Southern District of New York on March 21, 2017 which was assigned case number 17-22419-rdd. Defendant’s bankruptcy case stayed all proceedings in this Court by virtue of 11 U.S.C. §362(a).

In the bankruptcy case, Defendant moved by Notice of Motion dated June 6, 2017, seeking to void Gustavia’s lien under 11 U.S.C. §§506(a) and (d). Gustavia filed an Objection to the Defendant’s Chapter 13 plan on June 22, 2017 and Opposition to the Motion to Void Lien on November 8, 2017. To date, there has been no decision on the Defendant’s Motion to Void Lien. Additionally, the bankruptcy is now an adversary proceeding. By virtue of Bankruptcy Code §362(a), Gustavia is still stayed from proceeding in this case.

Respectfully,
The Margolin & Weinreb Law Group, LLP

/s/ Alan H. Weinreb
Alan H. Weinreb, Esq.

AHW:as

cc: Patricia M. Lattanzio, Esq. (attorney for Karen Beltran)(via ecf)